

TERM OF COMMISSION: November Session of the October Adjourned Term

PLACE OF MEETING: Roger B. Wilson Boone County Government Center  
Boone County Commission Chambers

PRESENT WERE: Presiding Commissioner Kip Kendrick  
District I Commissioner Justin Aldred  
District II Commissioner Janet Thompson  
Director of Resource Management Bill Florea  
Deputy County Clerk Jodi Vanskike

Public Comment forms submitted by: Joel Huggins, Susan Bingaman & DH Parsons, Lisa Suits, Margaret Waddell, Bill Toalson, Hillary Gould, Matthew G. Donnelly, Penny Lattin, Steve Andsager

**Conference Call Information:**

**Number: 425-585-6224 Access Code: 802-162-168**

The meeting was called to order at 7:00PM and roll call was taken.

**P&Z**

**1. Consent Agenda**

- A. Request by Como West Storage LLC on behalf of Robert Kilgore, Jr. to approve a Final Development Plan on 6.7 acres located at 7190 West Henderson Rd., Columbia.**
- B. Request by Happy Hollows, LLC on behalf of RML Investment Properties to approve a Final Development Plan for Concorde South, Lot nine (9), on three (3) acres located at 5150 E. Meyer industrial Drive, Columbia.**
- C. Request by Frederick Schmidt to approve a Final Development Plan for Schmidt Billiards on 3.47 acres located at 601 N. Hwy UU, Columbia.**
- D. Heithold Landing Plat one (1). A-2. S34-T50N-R13W. Jacob & Bonnie Heithold, owners. David Butcher, Surveyor.**

Director of Resource Management, Bill Florea, read the following staff report:

The Planning and Zoning Commission reviewed agenda items 1-5 at its October 19, 2023 meeting. The minutes of that meeting and the Boone County Zoning and Subdivision Regulations are incorporated into the record of this meeting.

Regarding item 1, the consent agenda, the final plan, items A-C, were approved by consent and are recommended for your approval. The listed plats, item D, was approved and is presented for your receipt and acceptance. I ask that you waive the reading of the staff reports for these items and authorize the clerk to insert them into the meeting minutes.

- A. Request by Como West Storage LLC on behalf of Robert Kilgore, Jr. to approve a Final Development Plan on 6.7 acres located at 7190 W. Henderson Road, Columbia.

The subject property is located between Highway 40 and Henderson Road. The property is 6.76 acres and zoned Planned Light Industrial (M-LP). The surrounding zoning is as follows:

- South - Planned Single Family Residential (R-SP)
- East – General Commercial (C-G)
- North – Light Industrial (M-L), M-LP, and Planned Commercial General (C-GP)
- West – Residential Single Family (R-S)

The proposal seeks to modify the previously approved Final Plan for the property approved under County Commission order #251-2023. This plan modifies the size, location, and number of storage buildings on the property compared to the previous plan. The only proposed use, self-storage, has not changed from the previous plan.

The Boone County Master Plan designates this area as being suitable for residential land uses. The Revised Review Plan was approved under County Commission order #442-2023. The proposal scored 63 points on the point rating system.

Water service is provided by Consolidated Water. Boone Electric provides power service to the area. Boone County Fire Protection District provides fire protection for the area. The nearest station, Station 9, is less than a mile away.

The Boone County Zoning Ordinance, Section 6.2.14, Standards for Approval of the Final Development Plan, identifies three criteria for approval:

- All the required information is accurately portrayed on the Plan;
- The Final Plan conforms to the approved Review Plan; and,
- The Final Plan demonstrates compliance with all conditions which the County Commission may have imposed on the Final Plan.

After review, staff found that the proposal meets the criteria for a Final Plan. No conditions were placed on the Revised Review Plan. The Revised Final Plan matches the previously approved Revised Review Plan.

Staff recommended **approval** of the final plan.

Request by Happy Hollows, LLC on behalf of RML Investment Properties to approve a Final Development Plan for Concorde South, Lot nine (9), on three (3) acres located at 5150 E. Meyer Industrial Drive, Columbia.

- North – C-G
- Northeast – C-G
- East – C-G & Planned Industrial (M-LP)
- Southeast – Light Industrial (M-L)
- South – M-L
- Southwest – Planned General Industrial (M-GP)
- West – M-GP
- Northwest – M-LP

Many of these zonings are the result of rezoning as the area has had a dynamic history with respect to zoning since the original 1973 zonings.

The proposal is to rezone the property from C-G to M-GP and to obtain approval for a contractor's business consisting of a couple of proposed buildings with some proposed future additions, a paved parking and loading area, and a dust free laydown area that must be at a minimum equivalent of chip & seal surface. A water quality and detention area is proposed on the current lot. The current lot is vacant.

The property scored 78 points on the rating system.

This proposal was approved under County Commission Order 444-2023.

The Boone County Zoning Ordinance, Section 6.2.14, Standards for Approval of the Final Development Plan identify 3 criteria for approval:

- All the required information is accurately portrayed on the Plan;
- The Final Plan conforms to the approved Review Plan; and,
- The Final Plan demonstrates compliance with all conditions, which the County Commission may have imposed on the Final Plan.

Staff recommended approval.

- B. Request by Frederick Schmidt to approve a Final Development Plan for Schmidt Billiards on 3.47 acres located at 601 N. Hwy UU, Columbia.

The property is located on State Route UU, less than ½ mile south of the intersection of Van Horn Tavern Road and State Route UU. The property is approximately 9.6 acres in size and has a house, garage, warehouse, and showroom present. The property is split-zoned Agriculture (A-2) & Planned General Commercial (CG-P). The adjacent zoning is A-2 to the north, south, and west, with Agriculture (A-1) and Planned Light Industrial (M-LP) to the east. The A-2 is original 1973 zoning, the adjacent M-LP was rezoned in 1988, and the existing C-GP on the subject property was rezoned in 1989. This property was rezoned and had a C-GP review plan approved by the County Commission in December of 2021. It has been since further revised with a review plan in April of 2022. The most recent review plan was approved by the County Commission on October 3 of 2023. This final development plan will complete the planned rezoning process for this proposal.

Schmidt Billiards rezoned approximately .25 acres of A-2 to C-GP in 1989. The business has reached a point where expansion is necessary, and the December 2021 request expanded the C-GP zoning on the property to support proposed buildings and expansion. The April 2022 request modified the out boundary of the C-GP zoning to better serve the desired expansion on the property. The October 2023 request modifies the proposed buildings to focus more intently on a new structure for use with the business rather than modifying existing buildings. It is this most recent approval which is finalized with this Final Development Plan.

The property scored 45 points on the rating system.

The Boone County Zoning Ordinance, Section 6.2.14, Standards for Approval of the Final Development Plan identify 3 criteria for approval:

- All the required information is accurately portrayed on the Plan;
- The Final Plan conforms to the approved Review Plan; and,
- The Final Plan demonstrates compliance with all conditions, which the County Commission may have imposed on the Final Plan.

Staff recommended **approval** of the final plan.

- C. Heithold Landing Plat one (1). A-2. S34-T50N-R13W. Jacob and Bonnie Heithold, owners. David Butcher, Surveyor.

The property is located on Dripping Springs Road, approximately two (2) miles west of Highway 63, lying in between the northern end of Gilbert Road and the southern end of Old Number 7. The parent parcel is 20 acres in size and has an existing house and on-site wastewater system present. This proposal divides the house and its wastewater system on 2.89 acres from the remainder of the parent parcel. That remainder is shown on an accompanying administrative survey to be recorded concurrently with the approved subdivision plat.

The property is zoned Agriculture (A-2) and is surrounded by A-2 zoning. This is all original 1973 zoning.

The subject property has direct access to Dripping Springs Road, a publicly dedicated, publicly maintained right-of-way. The applicant has submitted a request to waive the traffic study requirement.

The subject property is in Consolidated Public Water Service District #1, the Boone Electric Cooperative service area, and the Boone County Fire Protection District. There is an existing 4" waterline in front of the proposed lot along Dripping Springs Road to provide water service.

The existing house is served by an on-site wastewater system. Any improvements will be made under permit with Boone County Resource Management. The applicant has submitted a request to waive the wastewater treatment cost-benefit analysis.

The property scored 36 points on the rating system.

Staff recommends approval of the plat and granting the requested waivers.

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve items A, B, and C and does receive and accept the plat, item D, as listed in the attached consent agenda (Attachment A) and authorizes the Clerk to insert the associated staff reports into the minutes of this meeting.

Attachment A:

- A. Final Development Plan for Como West Storage;
- B. Final Development Plan for Concorde South Lot 9;
- C. Final Development Plan for Schmidt Billiards; and,
- D. Final Plat of Heithold Landing Plat 1.

Commissioner Thompson seconded the motion.  
The motion carried 3 to 0. **Order #502-2023**

- 2. **First Reading: Request by Briley Investments LLC for a conditional use permit to allow a duplex to be constructed in the Single-Family Residential (R-S) zoning district located at 2365 E Bearfield Subdivision, Columbia. (Open Public Hearing)**

Director of Resource Management Bill Florea read the following staff report:

The Planning and Zoning Commission reviewed this proposal and conducted a public hearing at its October 19, 2023 meeting. The Commission recommended denial on a unanimous vote. The applicant filed a timely appeal.

The subject property is located at the northwest corner of Bearfield Road and Bearfield Subdivision Road. There is a single utility building in the northwestern corner of the property. The property is approximately 1/3 of an acre in size and zoned Residential Single-Family (R-S).

The surrounding property is zoned as follows:

North – R-S  
South – Residential Moderate Density (R-M)  
West – R-S  
East – Agriculture (A-1)

This is all the original 1973 zoning.

The applicants are requesting a conditional use permit for a duplex on R-S zoned property. This lot is the last undeveloped lot in Bearfield Subdivision. The lot directly south of the subject property is zoned R-M and contains a duplex, built in 1974. The design for the proposed duplex was submitted with the application. This design shows a comparatively non-standard duplex design, which is intended to mimic the general appearance of a single-family home.

The following criteria are the standards for approval of a conditional use permit, followed by staff analysis of how this application may meet those standards. Staff analysis of the request is based upon the application and public comments received following notification of the surrounding property owners.

- a) The establishment, maintenance or operation of a conditional use permit will not be detrimental to or endanger the public health, safety, comfort, or general welfare.
- b) If development is done in a manner consistent and in compliance with existing county regulations, this request should meet this criterion.
- c) The conditional use permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted by these regulations.
- d) This area has developed in a residential manner with an existing duplex immediately across Bearfield Subdivision Road from the subject property. The granting of this conditional use permit maintains the existing development pattern of this area. There should be no injury to the use and enjoyment of nearby properties.

- e) The conditional use permit will not substantially diminish or impair property values of existing properties in the neighborhood.
- f) New construction in a long-standing neighborhood is not known to diminish the property values of existing homes. This conditional use permit will not substantially diminish or impair the property values of existing properties in the neighborhood.
- g) All necessary facilities will be available, including, but not limited to, utilities, roads, road access, and drainage.
- h) Existing infrastructure for electrical, water, and sewer service is present at the property to provide service for a new duplex.
- i) The establishment of a conditional use permit will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the zoning district.
- j) Bearfield Subdivision has developed with one duplex and twenty-six single-family dwellings. Most of the dwellings were constructed between 1963 and 1965, with the duplex being built around 1974. The further development of the surrounding properties will not be impeded by the establishment of this conditional use permit.
- k) The establishment of a conditional use permit will not hinder the flow of traffic or result in traffic congestion on the public streets. This will include the provision of points of access to the subject property.
- l) The addition of a duplex to the existing subdivision is a small increase in traffic to the development. Driveway placement for the new duplex will be done under a permit from Boone County Resource Management. The establishment of this conditional use permit will not hinder the flow of traffic or result in traffic congestion on the public streets.
- m) The conditional use permit shall in all other respects conform to the applicable regulations of the zoning district in which it is located. The County Commission shall find that there is a public necessity for the conditional use permit.
- n) This proposal can, in all other respects, conform to the applicable regulations of the zoning district in which it is located.

Zoning Analysis: This proposal is in step with the existing land use pattern in the Bearfield Subdivision. While it is new development in a subdivision that predates Planning & Zoning in Boone County, available resources to meet the needs of this conditional use permit exist. This conditional use permit can meet the criteria for approval by the Planning & Zoning Commission.

The property scored 78 points on the rating system. Staff notified 35 property owners about the request.

Staff recommended approval of the conditional use permit with the following condition:

- 1) That the duplex be constructed in a manner consistent with the plans submitted with the conditional use permit application, with any changes subject to the approval of the Director of Resource Management.

Commissioner Kendrick opened and closed the public hearing. Public comment forms for this item are scanned in after the minutes.

Commissioner Kendrick stated this is a first reading and requested the Deputy County Clerk schedule this item for a second reading at the next available commission meeting with appropriate order for approval.

### **3. Great Rivers Council, Inc. Boy Scouts of America to rezone to Planned Light Industrial District (M-LP) and to approve a Review Plan.**

Director of Resource Management Bill Florea read the following staff report:

The Planning and Zoning Commission reviewed this proposal and conducted a public hearing at its October 19, 2023 meeting. The Commission recommended approval of the rezoning and review plan on a unanimous vote.

This property is located on the north side of Van Horn Tavern Road at the immediate southeast corner of the intersection of the eastbound ramp for I-70 at the Midway interchange and State Highway UU. The site is about 1500 feet west of the Columbia municipal limits. The property is 2.43 acres in size, and zoned Planned Industrial (M-LP). All the surrounding property is zoned as follows:

- North – (across I-70) Agriculture 2 (A-2) & General Commercial (C-G)
- East – M-LP
- South – Agriculture-Residential (A-R) & Planned Commercial (C-GP)
- West – State Right-of-Way

The zoning to the north and the A-R zoning south are all original 1973 zonings, the planned commercial and planned industrial zonings have been approved and modified over time. The most recent review plan for the subject site was approved in July of 2014 under County Commission Order number 313-2014.

This proposal is to rezone the subject property to allow modification of the existing M-LP plan to allow for the construction of a pavilion shelter-house and refine the parameters of any future additions while clarifying the uses more clearly that are associated with the use by the Scouting organization that currently uses the property. The current lot is developed with an office building, parking, and landscaping/stormwater features.



The Boone County Master Plan identifies this area as being suitable for commercial land uses. The sufficiency of resources test was used to analyze this request.

Utilities: The property is in Consolidated Public Water Supply District #1 service area; fire protection already is in place for the existing buildings and any additions will be required to meet both the fire code and building code as to proper water provision. The property is in the Boone Electric Cooperative service area, and the Boone County Fire Protection District. The property is already served by a Boone County Regional Sewer District (BCRSD) central system. BCRSD has informed our office and the developer that there is a compliance agreement with DNR that has just under a year left until the deadline.

Transportation: The property has direct access to a publicly maintained hard surface roadway.

Public Safety: The property is in the Boone County Fire Protection District with the closest station being Station 9 on Henderson Road, approximately 1.3 miles by roadway.

Zoning Analysis: This proposal is a clean-up and clarification action for uses that intended to be allowed under the approved plan, the only new use is the small pavilion structure. There are no impacts from the proposed change except to clarify the Allowed Uses and minimize ambiguity. The development plan continues the infrastructure and site features of the existing plan. The property scored 103 points on the rating system.

Staff recommends approval of the request.

Commissioner Kendrick opened and closed the public hearing. Public comment forms for this item are scanned in after the minutes.

Commissioner Kendrick stated this is a first reading and requested the Deputy County Clerk schedule this item for a second reading at the next available commission meeting with appropriate order for approval.

**4. Warren School Properties to rezone from Agriculture (A-1) to Planned Agriculture (A-2P) and to approve a Review Plan and Preliminary Plat for Warren School Estates. (Appeal of a recommendation of denial)**

Director of Resource Management Bill Florea read the following staff report:

The Planning and Zoning Commission reviewed this proposal and conducted a public hearing at its October 19, 2023 meeting. The Commission recommended denial on a unanimous vote. The applicant filed a timely appeal.

The property is located on the east side of Warren School Road, approximately 3,000 feet south of the intersection of Mount Celestial Road and Warren School Road. The overall property is

10.94 acres in size, and zoned Agriculture 1 (A-1). All of the surrounding property is zoned as follows:

- North – Planned Agriculture 1 (A1-P)
- East – A-1
- South – A-1
- West – A-1

These are all original 1973 zonings except the A-1P property adjoining to the north which was rezoned in July of 1996. That A-1P allowed the creation of a 3-acre lot for development of a home but the overall 10 acres is still encumbered with the 7-acre lot having no development potential.

This proposal is to rezone the subject property from A-1 to A-2P to allow an increase in development density. The proposal would change the density from one home on a minimum of 10 acres, for which the property is currently eligible, to three homes divided into three lots ranging from 2.5 acres to 4.5 acres. The topography as the property falls away to the east from the roadway is severe, limiting the useable area of the proposed lots. The current tract has a couple of accessory buildings that are designated to be removed.

The Boone County Master Plan identifies this area as being suitable for agriculture and rural residential land uses. The sufficiency of resources test was used to analyze this request.

Utilities: The property is in a Consolidated service area; there are two fire hydrants shown as proposed on the plan. It is our understanding that one hydrant may be sufficient to provide fire protection, this has yet to be confirmed. The property is in the Boone Electric Cooperative service area. A cost benefit analysis for central sewer was provided for this development and stated that on-site engineered sub-surface wastewater systems should be allowed instead of central sewer. On-site engineered sub-surface systems are proposed for each lot. Should the request be approved these are the wastewater systems required to be used.

Transportation: The property has direct access to a publicly maintained unimproved gravel roadway. A waiver for traffic study is appropriate due to the proposal only adding two lots over the existing development density.

Public Safety: The property is in the Boone County Fire Protection District with the closest station being Station 14 on Scott Blvd, approximately 4.7 miles by roadway.

Zoning Analysis: This proposal is an attempt to increase the intensity of development of the property without a substantial change in the infrastructure to support the proposed change. Water to support fire protection is available but there is no central sewer available or proposed. The public roadway is not proposed to be upgraded. It is an unimproved gravel roadway in what is predominantly only a minimal 30-foot statutory right-of-way. Additionally, while not in the most environmentally sensitive watershed, the terrain becomes steep as it falls away to the east from the roadway. This only leaves a small portion of the proposed lots as suitable to develop.

The character of the area is larger tracts of 10 acres or significantly larger. The A-1P to the north may have allowed a smaller lot to be created but still meets the density requirement for A-1 zoning of one (1) home per ten acres. The closest area of higher density is Toalson Estates, which is served by central sewer. Without additional infrastructure upgrades, staff believe that conditions do not justify changing the zoning. The property scored 51 points on the rating system.

Staff recommended the request be denied.

Should the commission decide to approve the request, then the following conditions are needed:

1. The plan shows two (2) fire hydrant locations for installation of new hydrants. If the Fire District, the Water District, and the Director of Resource Management all agree that the hydrant requirements can be met with a different hydrant plan, then the Final Plan may reflect such a change approved by all three entities.
2. It is recognized that engineered subsurface wastewater systems are proposed and will be the required system if on-site wastewater is used within this development.

Commissioner Kendrick opened and closed the public hearing. Public comment forms for this item are scanned in after the minutes.

Commissioner Kendrick stated this is a first reading and requested the Deputy County Clerk schedule this item for a second reading at the next available commission meeting with appropriate order for approval.

**5. First Reading: Warren School Properties Preliminary Plat. Pending A-2P. S17-T47N-R13W. Warren School Properties, Owner. Jay Gebhardt, Surveyor. (Report Only)**

Director of Resource Management Bill Florea stated the preliminary plat is combined with the review plan on the Warren School Road document. Director Florea stated if the Commission chooses to approve, there will be an additional order since that was denied by P&Z so it will come forward to the Commission for a final decision.

**Purchasing**

**6. Second Reading: Request for Proposal Award Recommendation: C000681 (Bid 37-08SEP23) – ARPA Contract Administration Services with FORVIS, LLP – First Read 10.31.23**

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve an agreement with FORVIS, LLP for ARPA Contract Administration Services for a not to exceed contract price of \$220,000.00.

The terms of the Agreement are set out in the attached contract and the Presiding Commissioner is authorized to sign the same.

Commissioner Aldred seconded the motion.  
The motion carried 3 to 0. **Order #503-2023**

**Commission**

**7. Public Comment**

None

**8. Commissioner Reports**

Attest:



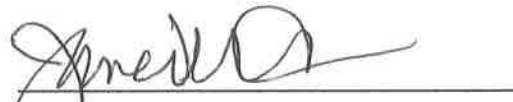
Brianna L. Lennon  
Clerk of the County Commission



Kip Kendrick  
Presiding Commissioner



Justin Aldred  
District I Commissioner



Janet M. Thompson  
District II Commissioner



Boone County Commission  
**Public Comment Form**

Agenda Item: Duplex proposal at 2365 E Bearfield Subdivision		DATE: 2023-11-01
COMMITTEE: Boone County Commission		
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input checked="" type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
NAME		
<b>INDIVIDUAL</b>		
NAME: Joel Huggins	PHONE NUMBER: (323) 377-3484	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS: 904 Danforth Drive		
CITY: Columbia	STATE: MO	ZIP: 65201
EMAIL: hugglife@gmail.com	ATTENDANCE:	SUBMIT DATE: 2023-11-01

I have no objections to the information in this application being made public. I do hereby certify that the information provided on this form is true and accurate.

Joel E Huggins

Hello,

My wife Erin and I own the country house adjacent to the property in question. Our property is 5251 S. Bearfield Rd. As I previously stated when I called in to the last hearing on this matter, we are opposed to a duplex on the lot in question. I am against rezoning of that lot just so the new owners can make more profit. I am also opposed to the bending of the zoning rules by granting a special permit for the same reason. It was disappointing at the beginning of the last meeting to hear the county staff refer to a "pattern of development" regarding duplexes in the neighborhood in their opening statements. One duplex built decades ago in a neighborhood of close to 30 homes does not a pattern make. And that one duplex is very small.

The county staff's comments also referenced the requirement that the proposed development not infringe on use or enjoyment of adjacent properties. We purchased our property on Bearfield in 2010 primarily for the country aesthetic of the property and its surroundings. We believe that a duplex like the one proposed on that lot would most certainly change the entire feel of not only that corner but our property as well. We would be completely fine with another single family home with a decent sized yard that butted up to our property, but a duplex made of 2 3-bedroom units would be much more than that. We are also concerned about the number of cars that two families or sets of roommates on that lot would bring to a neighborhood with narrow streets and zero parking on Bearfield Rd when the units only have a single-car garage each.

Additionally, I'd like to address the Briley's suggestion and the county staff's apparent suggestion of acid suggestion, that the entrance to Bearfield Subdivision needs

Joel E Huggins

Hello,

My wife Erin and I own the country house adjacent to the property in question. Our property is 5251 S. Bearfield Rd. As I previously stated when I called in to the last hearing on this matter, we are opposed to a duplex on the lot in question. I am against rezoning of that lot just so the new owners can make more profit. I am also opposed to the bending of the zoning rules by granting a special permit for the same reason. It was disappointing at the beginning of the last meeting to hear the county staff refer to a "pattern of development" regarding duplexes in the neighborhood in their opening statements. One duplex built decades ago in a neighborhood of close to 30 homes does not a pattern make. And that one duplex is very small.

The county staff's comments also referenced the requirement that the proposed development not infringe on use or enjoyment of adjacent properties. We purchased our property on Bearfield in 2010 primarily for the country aesthetic of the property and its surroundings. We believe that a duplex like the one proposed on that lot would most certainly change the entire feel of not only that corner but our property as well. We would be completely fine with another single family home with a decent sized yard that butted up to our property, but a duplex made of 2 3-bedroom units would be much more than that. We are also concerned about the number of cars that two families or sets of roommates on that lot would bring to a neighborhood with narrow streets and zero parking on Bearfield Rd when the units only have a single-car garage each.

Additionally, I'd like to address the Briley's suggestion and the county staff's apparent co-signing of said suggestion, that the entrance to Bearfield Subdivision needs "upgrading." Now I speak for many of the neighbors when I say that we love those pillars with the rustic old bears on them. They harken to a history of the neighborhood that many longtime residents personally remember. They are reminders of the very people that built that neighborhood. So in a lot of our opinions, people are already being welcomed to the neighborhood in the "right way," as the Brileys' letter suggested as the reason for wanting to put what they want in place of those historic markers.

In closing, I can respect that the Brileys are trying to do something good for their family, but I don't think existing rules should be bent in this instance for them to maximize the profit they can make from the land when the proposed plan in our opinion is not appropriate for the lot and location.

Thanks,  
Joel and Erin Huggins



Boone County Commission  
**Public Comment Form**

Agenda Item: 2. First Reading: Request by Briley Investments LLC for a conditional use permit		DATE: 2023-11-02
COMMITTEE: Boone County Commission		
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input checked="" type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
NAME		
<b>INDIVIDUAL</b>		
NAME: Susan Bingaman & DH Parsons		PHONE NUMBER: (573) 397-2910
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS: 2179 East Bearfield Subdivision		
CITY: Columbia		STATE: MO ZIP: 65201
EMAIL: bingamans@me.com	ATTENDANCE:	SUBMIT DATE: 2023-11-02

I have no objections to the information in this application being made public. I do hereby certify that the information provided on this form is true and accurate.

I strongly oppose this project on several grounds as I believe that the proposed units will fundamentally change the fundamental character of our unique neighborhood.

First, putting a 4000sq. ft. structure on a lot essentially the same size as the other lots on E. Bearfield Subd. where the homes as originally built are only about 900 sq. ft. creates a glaring visual disconnect from the rest of the neighborhood. Additionally, the size of the units on such a small lot eliminates room for adequate parking. These units each have the potential to play host to at least three vehicle owners, for a total of six or more that will need a place to park. The plans as submitted do not make it clear as to how much space will remain available for yard and landscaping, but it can't be much. I can foresee that much of that space will be used for parking, as is the case for the duplex across the street—a much smaller structure. The problem becomes much greater when the residents entertain and their guests must find somewhere to park. This clearly will not "add(s) to the esthetic of the area" nor will it "fit(s) well into the design and function of the overall neighborhood."

A second concern is the impact this development will have on the safety of the children living in the neighborhood. The corner of E. Bearfield Subdivision and Bearfield Rd. is the pickup site for students riding the school bus. Both of these roads are narrow and the proposed units and subsequent congestion there will put these children at risk and complicate the already difficult turnaround for the school buses.

One more major objection is the impact this project will have on the larger Gans Creek area. Bearfield Rd ends at the Gans Creek Wild Area. The integrity of the area has been and continues to be seriously challenged. My fear is that by intensifying the density in any way is degrading and makes it easier to justify other intrusions into that protected area.

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First, putting a 4000sq. ft. structure on a lot essentially the same size as the other lots on E. Bearfield Subd. where the homes as originally built are only about 900 sq. ft. creates a glaring visual disconnect from the rest of the neighborhood. Additionally, the size of the units on such a small lot eliminates room for adequate parking. These units each have the potential to play host to at least three vehicle owners, for a total of six or more that will need a place to park. The plans as submitted do not make it clear as to how much space will remain available for yard and landscaping, but it can't be much. I can foresee that much of that space will be used for parking, as is the case for the duplex across the street—a much smaller structure. The problem becomes much greater when the residents entertain and their guests must find somewhere to park. This clearly will not "add(s) to the esthetic of the area" nor will it "fit(s) well into the design and function of the overall neighborhood."

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One more major objection is the impact this project will have on the larger Gans Creek area. Bearfield Rd ends at the Gans Creek Wild Area. The integrity of the area has been and continues to be seriously challenged. My fear is that by intensifying the density in any way is degrading and makes it easier to justify other inroads into that protected area.

The last issue I will address here is less objective than the others. In both his official application and in a letter sent to several East Bearfield residents, Mr. Briley has commented on the charm and character of the neighborhood and of his desire to build something that "fits right into the community." He further states that "Maintenance of the grounds and it's landscaping will create a beautified entrance to the neighborhood and give a fresh feel to Bearfield Subdivision." If he had any real appreciation for the neighborhood, its residents, and its surroundings, he would not have considered this proposal at all.





Boone County Commission  
**Public Comment Form**

Agenda Item: Request by Briley Investments LLC for a conditional use permit on Bearfield Rd		DATE: 2023-11-02
COMMITTEE: Boone County Commission		
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input checked="" type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
NAME		
<b>INDIVIDUAL</b>		
NAME: Lisa Suits	PHONE NUMBER: (573) 424-6176	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS: 2210 e. bearfield subd.		
CITY: columbia	STATE: mo	ZIP: 65201
EMAIL: lisasuits123@gmail.com	ATTENDANCE:	SUBMIT DATE: 2023-11-01

I have no objections to the information in this application being made public. I do hereby certify that the information provided on this form is true and accurate.

There was overwhelming LACK of support from the public for the previous application, which was unanimously denied, so I don't understand why this would go through. Because of the overwhelming negative response to this, if it did get through it would create tremendous ill-will in the neighborhood--precisely the opposite of what the Brileys say they're trying to create. This is a thriving NEIGHBORHOOD, we know each other (most of us), look out for each other, and share an appreciation for this special, quiet street close to the state park. This is also the neighborhood that worked so hard to try to PROTECT THE NEARBY NATURAL AREA (Rock Bridge state park and Gans Creek watershed), and while the existing environmental protection regulations need amending (they might have been adequate years ago, when first implemented, before suburban sprawl began), a new home in that spot needs to be carefully designed to not damage an irreplaceable ecosystem.

I haven't seen a single word from the new property owners acknowledging they want to build in an ecologically sensitive area.

I frankly cannot think of a single benefit to the area that a standard duplex (or any standard housing) in that location would offer to anyone other than the owners. This is thoughtless developing. Just because they CAN doesn't mean they SHOULD.



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Agenda Item: 2. Briley Investments request for Bearfield Subd. duplex		DATE: 2023-11-02
COMMITTEE: Boone County Commission		
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input checked="" type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
NAME		
<b>INDIVIDUAL</b>		
NAME: Margaret Waddell	PHONE NUMBER: (573) 874-6814	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS: 2211 E. Bearfield Subdivision		
CITY: Columbia	STATE: MO	ZIP: 65201
EMAIL: waddell.margaret@gmail.com	ATTENDANCE: via phone	SUBMIT DATE: 2023-11-02

I have no objections to the information in this application being made public. I do hereby certify that the information provided on this form is true and accurate.

I am unable to attend this meeting in person as I am recovering from Covid-19. I will be participating via phone. I have serious concerns regarding the proposed duplex at 2365 E. Bearfield Subdivision. Ideally, this lot would make a nice home site for someone who wants to build their own reasonably-sized house and live in it. The lot is not large enough for the plans submitted by the Brileys, therefore it is out of alignment with the look, feel and function of the neighborhood. East Bearfield Subdivision is primarily owner occupied with a few rentals. The houses are small, most under 1000 sq. ft. with large yards. The driveways are small as well. This duplex as planned would dwarf our homes, being four times the size and much more expensive - too big of a difference to "fit in". I cannot imagine where all the cars would park. I am also concerned about the school bus picking up and dropping off kids right there at the currently empty lot. The safety of our children is of high priority and importance. The issue of our stone pillars is also a very important one to me. I do not want the Brileys to be allowed to alter or change our Bearfield pillars in any way. I have lived here for 32 years and I am extremely adamant about this. If they feel our pillars are dilapidated then they should NOT be building in our neighborhood. I do not want any lighting added in my neighborhood for environmental reasons. I choose to live in a dark neighborhood. Please do everything you can to preserve our quiet, rural, low-income neighborhood. Thank you.

Respectfully submitted,

Margaret A. Waddell



Boone County Commission  
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Agenda Item: <b>WARREN SCHOOL PROPERTIES</b>		DATE:
COMMITTEE: <b>Boone County Commission</b>		
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
NAME		
<b>INDIVIDUAL</b>		
NAME: <b>BILL TOALSON</b>	PHONE NUMBER: <b>573-864-2973</b>	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS: <b>7273 S. HIDDEN POOND LN</b>		
CITY: <b>COLUMBIA</b>	STATE: <b>MO</b>	ZIP: <b>65203</b>
EMAIL: <b>BTOALSONBETA@GMAIL.COM</b>	ATTENDANCE:	SUBMIT DATE:

I have no objections to the information in this application being made public. I do hereby certify that the information provided on this form is true and accurate.

THE PLANNING & ZONING MTG SAID  
THAT TOALSON ESTATES HAD TO  
BUILD A PRIVATE ROAD BECAUSE  
WE COULD NOT GET DRIVEWAYS OFF  
WARREN SCHOOL ROAD. THIS IS  
NOT TRUE, WE BUILT THE  
INTERIOR ROAD BECAUSE WE WERE  
GOING TO HAVE TO RAVE NURSERY  
ROAD, NOT WARREN SCHOOL ROAD.



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*subdivision*

Agenda Item: <u>Conditional Use Permit 2365 E Bearfield</u>		DATE: <u>11-2-23</u>
COMMITTEE: <u>Boone County Commission</u>		
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input checked="" type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
<b>NAME</b>		
<b>INDIVIDUAL</b>		
NAME: <u>Hillary Gould</u>	PHONE NUMBER: <u>870-680-2217</u>	
BUSINESS/ORGANIZATION NAME:	TITLE:	
ADDRESS: <u>2323 E. Bearfield Subdivision</u>		
CITY: <u>Columbia</u>	STATE: <u>MO</u>	ZIP: <u>65201</u>
EMAIL: <u>hillary.renae@gmail.com</u>	ATTENDANCE: <u>present</u>	SUBMIT DATE: <u>11-2-23</u>

I have no objections to the information in this application being made public. I do hereby certify that the information provided on this form is true and accurate.

I oppose this project for several reasons. First of all, building a 4000ft<sup>2</sup> duplex does not fit the E Bearfield Subdivision neighborhood. This lot should be (and is currently) zoned for a single family home. The corner is where the bus picks up the school children, and it is unsafe to ~~be~~ make that a high traffic area. With a building that size, potentially six renters, there could be up to six cars (more if guests) going in and out of that corner lot. Additionally, this is not affordable housing that is proposed. A small single family home would help with affordable housing, not 2 units with 3 bed 2 bath each crammed into that small space. This lot should not hold a home bigger than 1200ft<sup>2</sup>. Anything bigger does not leave enough green space on the lot. The "existing duplex" across the street from this proposed location is much smaller than what the owners of this lot propose to build across from it. There is nothing wrong with the current posts at the entrance to the neighborhood; we don't wish to have our cute bears at the entrance "refreshed." They are not dilapidated in any way.

10/30/2023

Attn: Janet Thompson, Justin Aldred and Kip Kendrick

I am writing in support of the proposed zoning change for the property on Warren School road owned by Warren School Properties LLC. I believe the zoning move to A2P is beneficial for development, smart growth, increased property values and future improvements on Warren School road. I own two parcels of land that have road frontage on Warren School road, one of them contiguous to the property in question. I strongly encourage our county leadership to take a proactive approach and approve the request to rezone.

Regards,

A handwritten signature in black ink, appearing to read 'MAD S', written over a horizontal line.

Matthew G. Donnelly  
5104 Newbury Way  
Columbia, MO 65203



Speaking on behalf of my wife and myself, we are both opposed to this rezoning and conditional use permit to build the 3/2 x 2 duplex on this piece of land. If the rezoning is permitted, it sets a precedence for developers to start flocking onto our street to purchase homes, demolish them and build duplexes such as the types the Brileys are wanting to build, only for financial gains, not to preserve the integrity of our neighborhood. I would like to share some direct quotes from the Brileys, written to us in a letter of introduction after they purchased the vacant lot. Quote: "We fell in love with the charm of the street." Quote: The location is so accessible to Columbia and yet secluded enough to feel quiet and private."

Quiet and private. That will not continue if this rezoning is allowed. One additional quote: "Both units will have a driveway from both roads."

Bearfield Road itself is a two lane public road that leads to a dead end at the Gans Creek Wagon Wheel Trailhead. Numerous cars travel that road daily. We know because we walk the road for exercise. There are no sidewalks, so you are always aware of traffic coming and going from the trail. In saying that, where the property is located, a single car driveway on Bearfield Road, which is what is being shown in the plans, could potentially house up to three cars. In reality, how many of those cars are actually

going to be parked in a single car driveway and moved around on a daily basis to allow coming and going of said renters? There is no place to park on Bearfield Road. I point to section F of the Conditional Use Permit verbiage.

“The establishment of a conditional use permit will not hinder the flow of traffic or result in traffic congestion on the public streets. This will include the provision of points of access to the subject property.”

Again, we are asking for this conditional use permit and rezoning be denied. We feel this lot can be better served for our neighborhood in which we live in, as a single family dwelling.





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Agenda Item: <b>Briley Investments</b>		DATE: <b>11-2-23</b>	
COMMITTEE: <b>Boone County Commission</b>			
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input checked="" type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>NAME</b>			
<b>INDIVIDUAL</b>			
NAME: <b>Steve Andsager</b>		PHONE NUMBER: <b>660-337-0235</b>	
BUSINESS/ORGANIZATION NAME: <b>N/A</b>		TITLE: <b>Homeowner</b>	
ADDRESS: <b>2290 E. Bearfield Sub</b>			
CITY: <b>Columbia</b>		STATE: <b>MO</b>	ZIP: <b>65201</b>
EMAIL: <b>steve-andsager@wbwo.com</b>	ATTENDANCE:		SUBMIT DATE: <b>11-2-23</b>

I have no objections to the information in this application being made public. I do hereby certify that the information provided on this form is true and accurate.

**The proposed development is not a good fit for the neighborhood.**